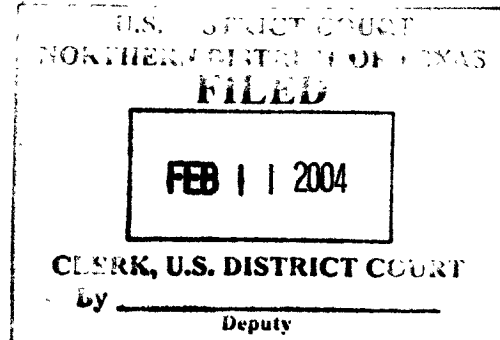


IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-51371

IN RE: KEITH RUSSELL JUDD,

Movant.



Motion for an order authorizing
the United States District Court for the Western
District of Texas to consider
a successive 28 U.S.C. § 2255 motion

Before EMILIO M. GARZA, BENAVIDES, and DENNIS, Circuit Judges.

BY THE COURT:

Keith Russell Judd, federal prisoner # 11593-051, has moved for authorization to file a successive 28 U.S.C. § 2255 motion in the district court. 28 U.S.C. § 2244(b)(3)(C). Judd argues that the Supreme Court established a new rule of constitutional law in Sell v. United States, 123 S. Ct. 2174 (2003), enabling him to bring an insanity challenge on collateral review. Judd fails to show how the Supreme Court's ruling in Sell was made retroactively applicable to cases on collateral review. 28 U.S.C. § 2244(b)(2). Neither Judd's jurisdictional challenge nor his actual innocence claim constitute newly discovered evidence or rely on a new rule of constitutional law made retroactive to cases on collateral

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review. 28 U.S.C. § 2244(b)(2). His motion for authorization to file a successive 28 U.S.C. § 2255 motion is therefore DENIED.

We hereby update the court's prior sanction order issued in Judd v. Winn, No. 03-50071 (5th Cir. Nov. 20, 2003), as follows: The clerk of this court and the clerks of all the district courts within this Circuit are hereby DIRECTED to refuse to file any action, appeal, motion, pleading, or application for authorization to file a successive 28 U.S.C. § 2255 motion submitted by Judd unless Judd submits proof of the satisfaction of his monetary sanctions.

MOTION DENIED; NEW SANCTIONS ON FILING IMPOSED.